

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JESSICA LEE GONZALEZ	:	CHAPTER 13
Debtor	:	
	:	
JACK N. ZAHAROPOULOS	:	
STANDING CHAPTER 13 TRUSTEE	:	
Objectant	:	
	:	
vs.	:	
	:	
UNITED AUTO CREDIT	:	
CORPORATION	:	
Claimant	:	CASE NO. 5-22-bk-02200-MJC

NOTICE OF OBJECTION TO AMENDED CLAIM AND DEADLINE TO  
REQUEST HEARING DATE

AND NOW, this 27th day of February, 2023, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and files an objection to the Proof of Claim you filed in this bankruptcy case.

NOTICE: Your claim may be reduced, modified, or eliminated. You should read these papers and the objection carefully and discuss them with your attorney, if you have one.

If you do not want the Court to enter an order affecting your claim, then on or before March 29, 2023, you or your lawyer must file a request for a hearing or a written response to the objection explaining your position.

Those not permitted to file electronically must deliver any request for hearing or response by U.S. Mail courier, overnight/express mail, or in person at:

Wilkes Barre Bankruptcy Court  
Max Rosenn U.S. Courthouse  
197 South Main Street  
Wilkes Barre, PA 18701

If you mail your request for hearing or response to the Court, you must mail it early enough so the Court will receive on or before the date stated above.

You must also send a copy of your request for hearing or response to:

Jack N. Zaharopoulos  
Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

Vincent Rubino, Esquire  
712 Monroe Street  
P.O. Box 511  
Stroudsburg, PA 18360-0511

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY  
DECIDE THAT YOU DO NOT OPPOSE AN ORDER AFFECTING YOUR CLAIM.

Respectfully submitted:

Jack N. Zaharopoulos  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

BY: /s/Agatha R. McHale  
Attorney for Trustee  
[amchale@pamd13trustee.com](mailto:amchale@pamd13trustee.com)

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JESSICA LEE GONZALEZ Debtor	:	CHAPTER 13
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JACK N. ZAHAROPOULOS	:	
STANDING CHAPTER 13 TRUSTEE	:	
Objectant	:	
	:	
vs.	:	
	:	
UNITED AUTO CREDIT	:	
CORPORATION	:	
Claimant	:	CASE NO. 5-22-bk-02200-MJC

TRUSTEE’S OBJECTION TO AMENDED  
CLAIM NO. 1 OF UNITED AUTO CREDIT CORPORATION

AND NOW, this 27<sup>th</sup> day of February, 2023, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, who objects to Amended Claim No. 1 filed by United Auto Credit Corporation on January 9, 2023 and states as follows:

1. Objectant Jack N. Zaharopoulos is the duly appointed Trustee in this case and, therefore, the representative of the Estate under § 323(a).
2. Claimant is United Auto Credit Corporation, a California corporation qualified to do business in the state of California, and headquartered in Newport Beach, California.
3. On November 14, 2022, Debtor filed a Petition under Chapter 13 of the Bankruptcy Code. (ECF No. 1).
4. On January 9, 2023, Claimant filed Amended Proof of Claim No. 1 in the amount of \$408,669.61 that is listed as secured. (POC 1-2).
5. The claims bar date in the present case was January 23, 2023 and so the claim appears to have been timely filed.

6. The Trustee avers, however, that the Claimant has not attached documentation showing evidence that the interest as to the Debtor is a perfected secured claim. Rather, the attachment is a copy of a Complaint filed against Car Mart Auto Center Inc., a Pennsylvania corporation; Jessica Gonzalez, an individual; Anthony Gonzalez, an individual, *et al* for breach of a written contract (Dealer Agreement) and breach of written contract (personal guarantee).

7. The Trustee further avers that the claim is unliquidated.

8. Therefore, in the absence of proof that the claim is secured, and where the claim is unliquidated, the claim should be reclassified as an unsecured claim in an amount to be determined after the lawsuit is concluded.

WHEREFORE, the Trustee respectfully requests that this Honorable Court disallow Amended Claim No. 1 filed by United Auto Credit Corporation as a secured claim, and reclassify the claim as an unsecured claim.

Respectfully submitted:

Jack N. Zaharopoulos  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

BY: /s/Agatha R. McHale  
Attorney for Trustee  
[amchale@pamd13trustee.com](mailto:amchale@pamd13trustee.com)

CERTIFICATE OF SERVICE

AND NOW, this 27th day of February, 2023, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Vincent Rubino, Esquire  
712 Monroe Street  
P.O. Box 511  
Stroudsburg, PA 18360

United Auto Credit Corporation  
P.O. Box 163049  
Fort Worth, TX 76161

United Auto Credit Corporation  
James Vagim III, President and CEO  
1071 Camelback Street  
Newport Beach, CA 92660

William E. Craig, Esquire  
Morton & Craig LLC  
110 Marter Avenue, Suite 301  
Moorestown, NJ 08057

/s/Deborah A. Behney  
Office of Jack N. Zaharopoulos  
Standing Chapter 13 Trustee